

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER
GH-24324 WO-US**10/588577**INTERNATIONAL APPLICATION NO.
PCT/AU2005/000141INTERNATIONAL FILING DATE
3 February 2005

3 February 2004

TITLE OF INVENTION **METHODS OF IDENTIFYING GENES WHICH PROMOTE HYBRID
VIGOUR AND HYBRID DEBILITY AND USES THEREOF**

APPLICANT(S) FOR DO/EO/US

KAY, Peter Hamilton

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
PCT/AU2005/000141	GH-24324 WO-US

20. Other items or information: One copy of Cover page of International Application as published (WO 2005/075668 A1) with ISR and amended claims; one copy of Form PCT/IB/304; one copy of Form PCT/IB308(First Notice); one copy of Form PCT/IB/308(Second Notice); two copies of Forms PCT/IB/306.

The following fees have been submitted			CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....			\$ 300	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). \$0 All other situations..... \$200			\$ 200	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500			\$ 400	
TOTAL OF 21, 22 and 23 =			900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
83 - 100 =	0 /50 =		x \$250	\$ 0
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).			\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	29 - 20 =	9	x \$ 50	\$ 450
Independent claims	5 - 3 =	2	x \$200	\$ 200
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 0
TOTAL OF ABOVE CALCULATIONS =			\$ 1750	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.			875	
			SUBTOTAL =	\$ 875
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).			\$	
			+	
			TOTAL NATIONAL FEE =	\$ 875
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			\$	
			+	
			TOTAL FEES ENCLOSED =	\$ 875
			Amount to be refunded:	\$
			Amount to be charged	\$

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PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007, OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

MATTHEW KASER
BELL & ASSOCIATES
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SIGNATURE

MATTHEW KASER
NAME

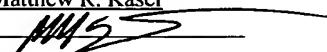
44,817
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I hereby certify that this document and referenced attachments
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Printed: Matthew R. Kaser

Signed: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. National Phase Application of:
KAY, Peter Hamilton

Title: Method Of Identifying Genes Which Promote Hybrid Vigour And Hybrid Debility And Uses Thereof

International application number: PCT/AU2005/000141
International Filing Date: 3 February 2005
Priority application number: AU 2004900471
Priority date: 3 February 2004

To:
Mail Stop PCT
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P.O. Box 1450
Alexandria, VA 22313-1450

Enclosed:

- Return receipt postcard
- Transmittal cover letter (1 page)
- Transmittal Sheet PTO-1390 (3 pages, 3rd page in duplicate)
- Preliminary Amendment (10 pages)
- Copy of pages as originally filed under Article 19 (2 pages)
- Copy of first page of published International Application WO 2005/075668 A1 (1 page)
- Copy of PCT/IB/304 (1 page)
- Copy of PCT/IB/308 (2 pages)
- Copy of PCT/IB/306 (2 pages)
- Declaration, unexecuted (2 pages)
- Information disclosure statement (2 pages)
- IDS References (Nos. 1, 2, 3, 4 & 5; 260 pages total)

Respectfully submitted,



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